

REMARKS

The rejections in the Office Action dated October 14, 2010 are respectfully traversed for the following reasons.

Reconsideration of the grant of priority described on pages 2-3 of the Office Action is respectfully requested as follows. All the applications for which priority claim has been requested inherently disclose, in their repeated references to creation of a gas phase and retention of a sample other than the gas phase, the intrinsic analysis of the phases thus produced. Indeed, the whole point of creating the phases is further to determine their constituency. The providing of the sample to the vessel embraces and discloses one, two or more charges of sample to the vessel. Reconsideration and grant of the priority claim is respectfully requested.

A new Abstract has been submitted herewith, both in amended form as as a clean copy on an attached sheet. Entry of the new Abstract and removal of the rejection is respectfully requested.

The objection to claim 13 is in condition for withdrawal inasmuch as by this Amendment “as” has been changed to “has.”

The art rejections are respectfully traversed as follows. U.S. Patent No. 5,849,597 to Tokuoka et al. and U.S. Patent No. 4,613,738 to Saville cannot combine to teach the limitations of claim 1 or any of 1-6, 8-10, 13, 16 or 19. The key missing teaching is in Saville, which discloses only a vessel which is suitable for further placing within a microwave oven, whereas claim 1 requires continued heating of the sample with concomitant cooling of the gas phase. A Saville vessel in a microwave oven does not provide for or envision the possibility of microwave heating of a sample in any sort of separate, controlled way as claimed. Likewise, the arrangement of Tokuoka et al. does provide for some partitioning but does not suggest nor provide any teaching of using microwaves to heat any sample, as the Examiner admits on page 5, first full paragraph, of the Action. One skilled in the art who tried to combine Tokuoka and Saville could not read the two and know how to do it. As to the remaining rejected claims, Wallace cannot compensate for the missing teachings of Tokuoka and Saville in disclosing a microwave energy range and Sperling and Celler cannot compensate for the missing teachings simply for their asserted disclosures of flow-through reactors or the use of liquid silicon.

For these reasons the pending claims are in condition for allowance.

Application No. 09/262,597
In Response to Office Action dated October 14, 2010
Responsive Amendment dated April 14, 2011
Attorney Docket No. 119994-5

CONCLUSION

If the Examiner has any remaining concern prior to allowance of the pending claims as amended herewith, the undersigned respectfully requests a telephone call to 412-281-3350 direct dial. Entry of the above claim amendments and allowance of all of claims 1-19 are respectfully requested.

Respectfully submitted,

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